

PTO/SB/30 (04-05)

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Request For Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/661,263
Filing Date	September 12, 2003
First Named Inventor	Christopher Berti
Art Unit	2625
Examiner Name	Chad S. Dickerson
Attorney Docket Number	600.1289

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other One Sheet of Replacement Drawings

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0552. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1070.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	March 18, 2009
Name (Print /Type)	William C. Gehris	Registration No. (Attorney/Agent)	38,156

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	March 18, 2009
Name (Print /Type)	Clint R. Mehall		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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01 FC:1601 810.00-DA

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 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450



In re application of: **Christopher BERTI et al.**
 Serial No.: 10/661,263
 Filed: September 12, 2003
 For: **METHOD AND DEVICE FOR OPTIMIZING A JOB CHANGE**

Sir:

Transmitted herewith is a **Request for Continued Examination (1 pg)** in the above-identified application.

☒ A filing fee for additional claims calculated as shown below, is required:

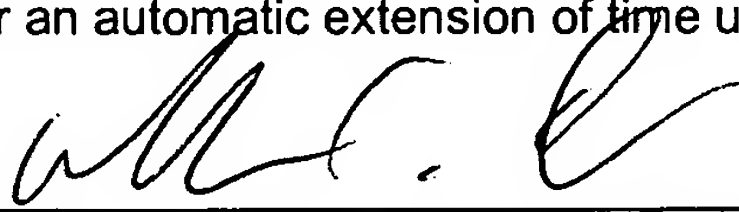
	(Col. 1)	(Col. 2)	
FOR:	REMAINING	HIGHEST	
	AFTER	PREVIOUSLY	PRESENT
	AMENDMENT	PAID FOR	EXTRA
TOTAL CLAIMS	25 Minus 20	=	5
INDEP. CLAIMS	3 Minus 3	=	0
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

SMALL ENTITY		OR	LARGE ENTITY	
RATE	FEE		RATE	FEE
x \$ 26	\$		x \$ 52	\$260
x \$110	\$		x \$220	\$
+ \$195	\$		+ \$390	\$
TOTAL:	\$	OR	TOTAL:	\$260

- ☒ Also transmitted herewith are:
- ☐ Petition for extension under 37 C.F.R. §1.136
 - ☒ Return Receipt Postcard
 - ☒ Other: **Response to Final Office Action (13 pgs)**
 - ☒ Other: **One Sheet of Replacement Drawings (1 pg)**

- ☒ Check(s) in the amount of **\$1070.00** is/are attached to cover:
- ☒ Filing fee for additional claims under 37 C.F.R. §1.16
 - ☐ Petition fee for extension under 37 C.F.R. §1.136
 - ☒ Other: **Fee for filing a Request for Continued Examination**

- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. §1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - ☒ Any patent application processing fees under 37 C.F.R. §1.17.
 - ☒ Any petition fees for extension under 37 C.F.R. §1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR §1.136.


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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: RCE Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on March 18, 2009.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 
 Clint R. Mehall